



PATENT
Attorney Docket No.: 040894-7448

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Etsuo KAWATE) Confirmation No. 5779
Application No.: 10/579,781) Group Art Unit: 2886
Filed: January 31, 2007) Examiner: M. Lapage
For: METHOD AND INSTRUMENT FOR)
MEASURING COMPLEX)
DIELECTRIC CONSTANT OF A)
SAMPLE BY OPTICAL SPECTRAL)
MEASUREMENT)
Mail Stop RCE

Commissioner for Patents
MAIL STOP RCE
Alexandria, VA 22314

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

[] Previously submitted:

[] Please consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered).

[] Please consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.

[] Other _____.

[X] Enclosed:

[X] Amendment/Reply

07/22/2009 SZEWIDIE1 00000048 500310 10579781

01 FC:1801 810.00 DA
02 FC:1251 130.00 DA

[] Affidavit(s)/Declaration(s)

[] Information Disclosure Statement

[] Form 1449

[] Other _____.

2. Miscellaneous

- Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- Other _____.

3. Fees Calculation

- (a) RCE Fee required under 37 C.F.R. § 1.17(e)

\$810.00

\$405.00 (for small entity)

(b) Extension of Time

Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

Applicant petitions or an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below.

Total Months <u>Requested</u>	Fee for <u>Extension</u>	Fee for Small Entity
[X] one month	\$ 130.00	\$ 65.00
[] two months	\$ 490.00	\$245.00
[] three months	\$1,110.00	\$555.00
[] four months	\$1,730.00	\$865.00

The extension of time fee for this request: \$130.00.

If an additional extension of time is required, please consider this a Petition therefor.

(c) Additional Claims Fees

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(i))	10	minus	20	0	x \$52 each=	+ \$0.00
Independent Claims (37 C.F.R. §1.16(h))	2	minus	3	0	x \$220 each=	+ \$0.00
[] First presentation of Multiple dependent claim(s)					\$390.00	+ \$0.00
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						\$0.00

4. Fee Payment

[] Enclosed is a check in the amount of \$_____.

[X] The Director is hereby authorized to charge the Deposit Account No. 50-0310 in the amount of \$940.00 (representing \$810.00 for the RCE filing fee and \$130.00 for the one-month extension of time).

- [X] EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN LEWIS & BOCKIUS LLP

Dated: July 21, 2009

By:

Mary Jane Boswell
Mary Jane Boswell
Reg. No. 33,652

Customer No. 009629

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